



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
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W. Simone Nicholson
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June 5, 2023

VIA ECF

The Honorable Katherine Polk Failla
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *T.P. v. N.Y.C Dep't of Educ., et. al.* 22-cv-9485 (KPF)(SN)

Dear Judge Failla:

I am Special Assistant Corporation Counsel in the office of Corporation Counsel, the Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the matter referenced above, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on administrative hearings under the Individuals with Disabilities Education Act 20 U.S.C. §1400, *et. seq.* ("IDEA"), as well as for this action.

I write jointly with Plaintiff to request an adjournment *sine die* of the conference scheduled for June 13, 2023 (ECF 20). Defendants have made an offer to settle the case and the parties will continue to negotiate over the next few weeks, and we are optimistic that this case will resolve without the need for a conference. The parties propose the submission of a next status letter by June 27, 2023, either advising the Court that the case has settled or providing an update on the status of settlement negotiations.

Thank you for considering this submission.

Respectfully submitted,

/s/ 

W. Simone Nicholson
Special Assistant Corporation Counsel

cc: Erin O'Connor, *Of Counsel*, Attorneys for Plaintiff (via ECF)

Application GRANTED. In light of the parties' above representations, the initial pretrial conference scheduled to take place on June 13, 2023, is hereby **ADJOURNED sine die**. The parties are directed to submit a joint letter on or before **June 27, 2023**.

The Clerk of Court is directed to terminate the pending motion at docket entry 24.

Dated: June 6, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE